IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO.3689 OF 2006

IN

APPEAL (LODGING) NO. 553 OF 2067

IN

EXECUTION APPLICATION (L) NO. 173 OF 2005

IN

SUIT NO. 1305 OF 1999

M/s. Khanna Rayon Industries P.Ltd. ...Appellants
(Orig.Defendant)

Versus

M/s. Prem Enterprises ...Respondent
(Orig. Plaintiffs)

Mr. V.P. Jain i/b.Mehta & Girdharlal for the appellants.
None for the Respondent.

CORAM: D.K.DESHMUKH &
J.H.BHATIA,JJ.
DATE : 23rd July, 2007.

P.C.

1. Assuming that there is sufficient cause shown for condonation of delay in filing the appeal, we see no

reason to interfere with the impugned order. The only grievance made in relation to that part of the order impugned in the appeal which directs the appellant to state on affidavit details of all statutory authorities before whom and statutory records in which the said properties have been referred to or mentioned and the appellant was directed to forward a copy of that order to all the said statutory authorities. The grievnace is that the learned Single Judge has not specified the statutory authorities to whom the copy of the order is to be sent and the detailes have to be mentioned.

2. In our opinion, for this reason, it is not necessary for this Court to interfere with the impugned order. The appellant can comply with the order in relation to such statutory authorities as are within the knowledge of the appellant. If there are any other statutory authorities and if there is any doubt about it, the appellant has liberty to approach the learned Single Judge and seek necessary clarification.

The Motion and the Appeal are disposed of.

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(D.K.DESHMUKH,J.)

(J.H.BHATIA,J.)